

Letter 89

Larkspur City Council

Cathy Hartzell

November 4, 2004, Public Hearing

- 89-1** The comment provides introductory remarks. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 89-2** The comment states that the traffic analysis is inadequate and that the results presented in the Draft EIR do not match their measured results. The comment states that traffic backs up into Larkspur and Corte Madera but does not indicate which roadway or freeway they are referring to. A search of roadway names that are similar to Siefer (phonetically) identified only one roadway: Fifer Avenue, which is located off Highway 101 south of Sir Francis Drake Boulevard. This intersection is not within the project's study area intersections and would not be adversely affected by the project. Regarding the LOS of freeway on/off-ramps, the Draft EIR indicated that under existing and project conditions (Table 4.12-3 and Table 4.12-6) the northbound and eastbound on/off-ramps at Highway 101/Sir Francis Drake Boulevard would operate acceptably. Because no additional information is provided that would clarify the intersections or roadways addressed, no further response can be provided.
- 89-3** The comment states that the Draft EIR does not provide adequate mitigation. Mitigation is proposed to reduce identified significant impacts to a less-than-significant level. The comment does not specify which mitigation is inadequate so no further response can be provided.
- 89-4** The comment states that the Draft EIR does not acknowledge the other projects under construction when the proposed project would be under construction. Please refer to response to comment 14-14.
- 89-5** The comment states that west gate, although not proposed as a main entrance, would naturally evolve as a major access point to SQSP and the Draft EIR does not address this. The main gate to SQSP would be the main access point to SQSP both for visitors and staff of the main SQSP and the proposed CIC and only truck deliveries would access SQSP from west gate. This was assumed in the traffic analysis, presented in the Draft EIR, and would become a requirement for project operation. CDC will require all employees of the CIC to enter and exit the SQSP property via the east gate.
- 89-6** The comment states that if west gate would be used, it would require signalization along Sir Frances Drake Boulevard. Please see response to comment 89-5.
- 89-7** The comment expresses concern regarding the project's lighting impacts. Please refer to Master Response 2. Regarding the concern expressed over light spillage to the bay being a safety hazard to boaters, it would seem that if such spillage were to occur, it would make boaters more visible to each other, which would be beneficial to their safety. That stated, because of the use of glare shields on the CIC project, any spillage would be minor.
- 89-8** The comment expresses concern regarding the design of the buildings and states that the mitigation measures do not consider other options such as berming. Please refer to Master Response 2. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.

Letter 90

**State Assemblyman Joe Nation
November 4, 2004, Public Hearing**

- 90-1** The comment states that the Draft EIR did not examine project alternatives. CDC disagrees. Chapter 7, “Alternatives,” of the Draft EIR evaluated a reasonable range of alternatives to the project. Regarding evaluation of additional alternatives to the project, please refer to Master Response 1.
- 90-2** The comment states that the Draft EIR does not provide an honest assessment of alternatives to the project, but does not provide specifics on how the analysis is inadequate. Because no specific issues pertaining to the analysis are identified, no further response can be provided.
- 90-3** The comment states that the Draft EIR should evaluate an alternative that would relocate death row to another CDC facility. Please refer to Master Response 1 and responses to comments 9-19 and 9-20. Also, with respect to the reference in the comment regarding 200 acres, this would be for a stand-alone CIC, but not the other uses at SQSP. Typical new prisons, housing on the order of 4,000 to 5,000 inmates, are built by CDC on sites ranging in size from 450 to 650 acres. The 200-acre size for the CIC as a stand-alone facility is only an estimate, but includes infrastructure typically associated with stand-alone facilities (e.g., prison structures, wastewater treatment plants, etc.).
- 90-4** The comment states that the alternatives analysis is incomplete and references the conclusions of the State Auditor’s Report. Please refer to response to comment 11-2. Authorization for the proposed CIC was provided by the State Legislature in 2003 through passage of Assembly Bill 1765, the state Budget Act of 2003–2004. AB 1765 was approved by a margin of 56 to 22 in the Assembly and 27 to 10 in the Senate, a strong majority of legislators, including those representing the geographic location that includes the project. Governor Davis signed the bill. CDC is moving forward with this approved legislation.
- 90-5** The comment states that the Draft EIR did not address the costs associated with relocating the project to other CDC facilities. Please refer to response to comment 90-4, Master Response 1, and responses to comments 9-19 and 11-3.
- 90-6** The comment suggests that CDC respond to the State Auditor’s report and compare the estimated annual operating and maintenance costs of a new CIC at other locations with adequate land or facilities to costs expected to incur at SQSP. Please see response to comment 90-4.
- 90-7** The comment disagrees with a statement in the State Auditor’s report. This comment is acknowledged. Because no specific issues pertaining to the EIR analysis are identified, no further response can be provided.
- 90-8** The comment restates conclusions made in the State Auditor’s report concerning operating costs. Because no specific issues pertaining to the EIR are identified, no further response can be provided.
- 90-9** The comment recommends that the CDC examine alternative project locations. Please refer to Master Response 1.

Letter 91

Marin County Board of Supervisors

Steve Kinsey

November 4, 2004, Public Hearing

- 91-1** The comment states that the project is in the wrong place and will foreclose other options for use of the site for over 100 years. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 91-2** The comment states that the Draft EIR has not adequately analyzed alternatives. The comment does not specify why the alternatives considered were not sufficient, so no additional response can be provided. Please see responses to comments 11-2 and 90-4 concerning the State Auditor's report and Master Response 1 for a discussion of the alternatives considered.
- 91-3** The comment states that the Draft EIR should evaluate a project alternative that continues existing uses and relocates the condemned inmates. Please refer to Master Response 1 with regard to alternatives considered in the Draft EIR and the condemned inmate population. Please also refer to response to comments 9-19, 9-20, and 9-21 regarding relocation of the project.
- 91-4** The comment expresses concern with regard to the project's lighting, noise, visual, and Corte Madera Marsh impacts. These issues are all addressed in the Draft EIR. No specific issues concerning the analysis are raised in this comment, so no further response can be provided. Please refer to response to comment 9-42.
- 91-5** The comment suggests there would be cost savings by relocating SQSP. No evidence is provided in the comment to support this claim. Please refer to Master Response 1 for a discussion of the alternatives evaluated in the Draft EIR.
- 91-6** The comment states that the Draft EIR does not discuss what would happen at SQSP in 20 years when the CIC is filled. Please refer to response to comment 22-4.
- 91-7** The comment states that the Draft EIR needs to identify the requirements and how they would be fulfilled on this site for long-term housing on condemned inmates. It is presumed this refers to what CDC would do if the CIC reaches capacity. Please refer to response to comments 9-14 and 22-4. No specific issues concerning the analysis are raised in this comment, so no further response can be provided.
- 91-8** The comment provides concluding remarks and states that the Draft EIR should include alternatives that do not include the project as proposed. This comment is acknowledged. With regard to alternatives, please refer to Master Response 1.

Letter 92

Point San Quentin Village Association Board of Directors

Frances Barbour-Hayden

November 4, 2004, Public Hearing

- 92-1** The comment provides introductory remarks. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 92-2** The comment states that the desire to not increase traffic along Main Street. This comment is acknowledged. Please refer to response to comment 54-1.
- 92-3** The comment states that construction vehicles should not use Main Street and should enter the site from west gate. Construction vehicles would access the construction site from west gate.
- 92-4** The comment requests a reduction of light pollution. Please refer to Master Response 2 for a discussion of feasible visual mitigation. No specific issues related to the analysis are raised so no further response can be provided.
- 92-5** The comment requests that construction hours run from 8:00 a.m. to 4:00 p.m. This comment is acknowledged. Please refer to response to comment 54-4.
- 92-6** The comment requests focus on the aesthetic and visual impacts of the proposed buildings. Please refer to Master Response 2 for a discussion of feasible visual mitigation.
- 92-7** The comment states a preference for the stacked design alternative. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 92-8** The comment expresses concern regarding traffic along Sir Francis Drake Boulevard and I-580. This comment is acknowledged. Please see Mitigation Measure 4.12-a, as modified in Section 4 of this document. As shown, CDC will provide for the installation of a traffic signal at Main Street and I-580.
- 92-9** The comment expresses concern about prison employees commuting from outside the County. Please refer to response to comments 9-24, 9-50, and 14-12 regarding employee commuting.
- 92-10** The comment states that the Ferry Passenger Advisory Committee is looking for a transit village to meet the needs of the community. Please refer to Section 7.5 for a discussion of the San Quentin Vision Plan Alternative/Relocation of SQSP Alternative.
- 92-11** The comment asks what the costs would be for relocating the Larkspur Ferry terminal to the deep water site. This comment is not relevant to the analysis in the Draft EIR and is not proposed under the project. Because no specific issues related to the analysis are raised, no further response can be provided.
- 92-12** The comment expresses concern regarding traffic in the County. Because no specific issues related to the analysis are raised, no further response can be provided.

- 92-13** The comment questions the location of SQSP in a metropolitan area. San Quentin was constructed in Marin County in 1852, well before the urbanization of the local area. Urban land uses have moved closer and closer to SQSP over time, to the point where a large amount of SQSP property is surrounded by residences. The newest community, Drake's Cove, is under construction immediately west of SQSP property boundaries. CDC has not changed its philosophy with respect to its prisons, which is to operate them safely and securely for correctional officers, inmates, and surrounding land uses. Local agencies have the discretion to establish land uses adjacent to prisons, and in the case of SQSP have found it appropriate to place residential uses along the SQSP boundaries. The encroaching development around SQSP places a greater emphasis on the need for the CIC to enhance its security.

Letter 93

Marin County Community Development Agency

Dan Dawson

November 4, 2004, Public Hearing

- 93-1** The comment states that the Marin County Community Development Agency's review of the Draft EIR found several major deficiencies that render the Draft EIR inadequate. Detailed issues are provided in subsequent comments.
- 93-2** The comment states that the project description is inconsistent with the NOP's project description and is not consistent throughout the EIR. No specific instances of inaccuracy or inconsistency are provided in the comment so no further response can be provided.
- 93-3** The comment states that the project objectives are too narrowly defined to allow an understanding of the project scope and this limits the consideration of project alternatives. CDC disagrees. Please refer to response to comment 9-3 and Master Response 1.
- 93-4** The comment states that the Draft EIR uses inconsistent and incorrect information in establishing baselines, but does not provide specific examples. No environmental issues are raised so no response can be provided.
- 93-5** The comment states that the Draft EIR fails to discuss inconsistencies between the project and applicable general plans and regional plans applicable to the jurisdiction where the project is located. Please refer to response to comment 9-6.
- 93-6** The comment states that required studies and environmental evaluations by relevant regulatory agencies have not been completed to adequately disclose the environmental impacts of the project. Please see responses to comments 9-33, 9-34, and 9-35. The comment does not provide comments on specific contents of the EIR, so no further response can be provided.
- 93-7** The comment states that mitigation recommended by the Draft EIR includes instances of deferred mitigation involving future study, but does not indicate where in the EIR this occurs. Therefore, no additional response can be provided.
- 93-8** The comment states that correction of deficiencies in the Draft EIR would require substantial new information and studies for the Draft EIR to be adequate and would require recirculation of the Draft EIR. No evidence has been presented in this or in any other comments to suggest that any of these conditions have occurred. Please refer to response to comment 9-10.
- 93-9** The comment states that conflicts between the project description and NOP would require recirculation of the NOP before recirculation of the Draft EIR, but does not provide specific examples. Please refer to response to comment 9-11.

Letter 94

Marin Economic Commission

Terry Hennessy

November 4, 2004, Public Hearing

- 94-1** The comment provides introductory remarks. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 94-2** The comment states that the Draft EIR does not sufficiently define the project because it does not address the implications of vacating the current condemned facilities other than being backfilled with Level II inmates. Once the CIC is constructed, condemned inmates would be transferred to the CIC and general population inmates would be backfilled into existing facilities, up to a maximum capacity of 5,150 inmates, as described in Master Response 3, which is 800 inmates less than assumed in the Draft EIR. Operation of existing SQSP would continue under current operational protocol. Regarding the project description, the comment does not specify why the project description is not adequate so no further response can be provided.
- 94-3** The comment claims the Draft EIR does not use consistent figures for projected inmate population or staffing needs. Please refer to Master Response 3 and responses to comments 9-12 and 9-27. The comment does not provide specific instances of inaccuracy, so no further response can be provided.
- 94-4** The comment states that the Draft EIR contradicts itself by stating that sufficient employment is available locally, when 49% of current employees commute from eight Bay Area counties (the comment excludes Solano County, which is a member of the Association of Bay Area Governments). With regard to available housing supplies, please refer to responses to comments 9-24 and 9-50.
- 94-5** The comment states that the median home price data provided in the Draft EIR is outdated. Please refer to responses to comments 9-24 and 9-50.
- 94-6** The comment states that reliance on housing data in the Draft EIR is illogical. No evidence has been presented in this or any other comments to suggest data relied upon in the EIR is inaccurate so no further response can be provided.
- 94-7** The comment states that monthly bonuses paid to prison employees indicate that statements that refer to a sufficient local employment base and affordable housing are false. Please refer to responses to comments 9-24 and 9-50.
- 94-8** The comment states that the Draft EIR mischaracterizes the San Quentin Vision Plan alternative. Please refer to response to comments 9-22 and 9-26.
- 94-9** The comment states that the Draft EIR is inadequate and requires recirculation. The Draft EIR fully complies with the requirements of CEQA. No new evidence was provided in this or in any other comments to suggest that the information presented and relied on in the Draft EIR is incorrect so no further response can be provided.

Letter 95

California Clemency Organization

Allen Jones

November 4, 2004, Public Hearing

- 95-1** The comment provides information on a proposed ballot measure to reduce prison populations. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 95-2** The comment states that the Draft EIR should consider a smaller statewide prison system as a project alternative. Please refer to Master Response 1 with regard to alternatives discussed in the Draft EIR.

Letter 96

**Marin Conservation League
Roger Roberts
November 4, 2004, Public Hearing**

- 96-1** The comment states that the analysis is adequate but far from exhaustive for reasons described in subsequent comments. Please refer to responses to comments 96-2 through 96-7.
- 96-2** The comment states that the most significant impacts are the project's visual impacts and states that the Draft EIR should incorporate additional design features that would make the structures visually more appealing. Please refer to Master Response 2 for a discussion of feasible visual mitigation measures.
- 96-3** The comment asks if mitigation features such as motion sensors, reduced light bulb wattage, and infrared sensors could be implemented. Please refer to Master Response 2 for a discussion of feasible visual mitigation recommended for the project.
- 96-4** The comment states that the Draft EIR should analyze CO₂ and greenhouse gas effects associated with the project, recognizing that this analysis is not required by CEQA. Please refer to response to comment 14-4.
- 96-5** The comment states that the Draft EIR's analysis of biological impacts (specifically bird and raptor impacts) is inadequate. Please refer to response to comment 9-43. The comment does not provide specifics as to why the analysis in the Draft EIR is inadequate so no further response can be provided.
- 96-6** The comment states that the Draft EIR is inadequate because it presumes a desalination plant will be built and these impacts are not discussed. The comment misinterprets the Draft EIR. Please refer to response to comment 9-37.
- 96-7** The comment states that the Draft EIR does not discuss how the project will be energy neutral and does not evaluate the use of photovoltaics. Please refer to responses to comments 9-60, 9-61, and 14-8.

Letter 97

**Marin Association of Realtors
Jack Wilkinson
November 4, 2004, Public Hearing**

- 97-1** The comment expresses opposition to the project. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 97-2** The comment states that CDC should evaluate other prison alternatives that consider transfer of condemned inmates to other prisons. Please refer to Master Response 1 for alternatives discussed in the Draft EIR.
- 97-3** The comment recommends surveying communities in California to identify those communities that would be willing to support SQSP. This comment is not relevant to the analysis presented in the Draft EIR. No further response is necessary as no issues related to the environmental impacts of the project were raised.

Letter 98

California Council of the American Institute of Architects

Anne Laird-Blanton

November 4, 2004, Public Hearing

- 98-1** The comment expresses support for comments made by elected officials and states that opportunities for light rail, transportation, and affordable housing exist at the San Quentin property. Please refer to comment letters 90 and 91. With regard to alternatives to the project, please refer to Master Response 1. Regarding design, please refer to Master Response 2.
- 98-2** The comment states that the Draft EIR should look at energy conservation issues. Please refer to responses to comments 9-60 and 9-61.
- 98-3** The comment states that the Draft EIR does not fully address the project's lighting. Please refer to Master Response 2.
- 98-4** The comment states that the Draft EIR did not address impacts to the Corte Madera Marsh. CDC disagrees. Please refer to response to comment 9-42. Because the comment does not provide specifics as to why the analysis presented in the Draft EIR is inadequate, no further response can be provided.
- 98-5** The comment suggests that there are other alternatives that should be considered, including the Vision Plan. Please refer to response to comment Master Response 1 for a discussion alternatives evaluated in the Draft EIR.

Letter 99

Prison University Project

Jody Lewen

November 4, 2004, Public Hearing

- 99-1** The comment expresses support for continued operation of SQSP. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 99-2** The comment states that CDC should consider a design that would allow the reuse of the proposed buildings in 10 years. This comment is not relevant to the analysis presented in the Draft EIR. With regard to building design, please refer to Master Response 2. Because no issues related to the analysis were raised, no further response can be provided.

Letter 100

Elida Doldan Schujman

November 4, 2004, Public Hearing

- 100-1** The comment provides introductory remarks. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 100-2** The comment expresses support for the construction of a small prison facility for rehabilitation, as opposed to the project. Please refer to Master Response 1 for a discussion of alternatives evaluated in the Draft EIR. Because no issues related to the analysis were raised, no further response can be provided.
- 100-3** The comment states that the site provides water access and could support an emergency hospital and housing for fire personnel, nurses, and doctors. Please refer to Master Response 1 for a discussion of alternatives evaluated in the Draft EIR.
- 100-4** The comment states that CDC should consider the needs of the community. CDC acknowledges that the needs of the community are very important and, CDC will consider all comments received on the Draft EIR. Additionally, CDC has made efforts to meet with community agencies and citizen groups to better understand their concerns and, where feasible, directly respond to issues raised. For example, please refer to Master Response 2.

Letter 101

Anthony Catsimatides

November 4, 2004, Public Hearing

- 101-1** The comment expresses opposition to the project and supports alternate land use opportunities for the site, including housing, transportation, recreation, and possibly small rehabilitation facilities. This comment is acknowledged. Please refer to Master Response 1.
- 101-2** The comment states that the project site is an ideal location for multiple housing developments, including low-income housing. Please refer to Master Response 1.
- 101-3** The comment states that the project site provides a unique opportunity for a transportation hub. This comment is not relevant to the impact analysis presented in the Draft EIR. Please refer to Master Response 1 and response to comment 9-22 for a discussion of alternatives evaluated in the Draft EIR. Because no specific issues pertaining to the analysis are identified, no further response can be provided.
- 101-4** The comment expresses support for rehabilitating existing prisons and states that the Draft EIR does not address the costs of renovations and upgrades to existing facilities. The project does not include upgrades to any of the existing facilities at SQSP, except those described in the project description (e.g., utility upgrades), and CDC does not have budget authorization for such upgrades.
- 101-5** The comment states that the proposed buildings are ugly and that the Draft EIR does not propose an aesthetically pleasing design. Please refer to response to Master Response 2.
- 101-6** The comment states that the Draft EIR needs to evaluate alternative locations for the project. Please refer to Master Response 1.

Letter 102

Sue Severin

November 4, 2004, Public Hearing

- 102-1** The comment expresses opposition to the death penalty. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 102-2** The comment asks what arrangements have been made for protestors. No changes are proposed for protest activities associated with executions. The location of executions would not change and protestors would continue to be able to gather and protest near east gate.
- 102-3** The comment asks where protestors would be accommodated at west gate. Although condemned inmate housing would be relocated closer to west gate, the execution chamber would remain in its current location. Please refer to response to comment 102-2.

Letter 103

Monahan Pacific

Victor Gonzalez

November 4, 2004, Public Hearing

- 103-1** The comment suggests that people who want to relocate SQSP should change legislation. This comment is acknowledged.
- 103-2** The comment states that the Draft EIR does not discuss the neighboring project under construction and should identify this project as being on the western property line. Please refer to response to comment 18-1.
- 103-3** The comment references Exhibits 4.1-4(a) through 4(c) in the Draft EIR and states that the pictures are old and no longer accurate. The comment suggests that the Draft EIR should incorporate visual simulation conducted for the adjacent residential development. Please refer to response to comment 18-2.
- 103-4** The comment states that people living in the residential development would be within ¼ mile of the SQSP facility and states that the lighting and architecture associated with the project would be very close. Please refer to Master Response 2.
- 103-5** The comment asks what the basis was for deciding between the first story and second story project options. The Director of CDC will consider the project and all information in the record, including cost estimates, magnitude of environmental impacts, CDC objectives, benefits of each design alternative, and comments received on the environmental impacts and the merits of the project before deciding whether to approve, approve with modifications, or deny the project as proposed, including which design option would be implemented.
- 103-6** The comment requests clarification of the CEQA process following the close of the public hearing. During the public hearing on the Draft EIR held on November 4, 2004, CDC accepted oral and written testimony on the project. The public review period closed on November 12, 2004. Following the close of the public review period, CDC reviewed comments and prepared responses to those comments, which are presented in this document. This document has been provided to public agencies and the public for their review. Following the 10-day public agency review period required by CEQA, the Director will consider the project and all information in the record before deciding whether to approve, approve with modifications, or deny the project as proposed. No additional public hearings will be conducted.
- 103-7** The comment states that the belief that CDC is obligated to adopt measures to mitigate significant impacts, if feasible. This is a correct interpretation of CEQA.
- 103-8** The comment provides examples of visual mitigation that could be implemented, including lighting, massing, screening, fencing, berming, and use of motion sensors. See Master Response 2 regarding feasibility of visual mitigation.
- 103-9** The comment appears to question the State's commitment to energy conservation. Please refer to responses to comments 9-60 and 9-61.

- 103-10** The comment states that there are measures that could be implemented for the massing of proposed buildings, including the use of a variety of colors, shapes, sizes, and materials. Please refer to Master Response 2.
- 103-11** The comment suggests that the Draft EIR did not discuss the relocation of public protest activities at the west gate. Public protest activities would not change with the project. Please refer to responses to comments 102-2 and 102-3.

Letter 104

Marin Conservation League

Don Wilhem

November 4, 2004, Public Hearing

- 104-1** The comment states that the Draft EIR is inadequate with confusing numerical information and lacking important data related to traffic impacts. Please refer to response to comment 14-9. No specific instances of inadequacy are provided in the comment, so no further response can be provided.
- 104-2** The comment states that the northbound traffic at the intersection of Highway 101 and I-580 should be included in the traffic analysis. Please refer to response to comment 10-16.
- 104-3** The comment states that the Draft EIR should tabulate traffic volumes through each intersection for all conditions, including construction traffic. Please refer to response to comment 14-15.
- 104-4** The comment states that traffic counts and subsequent delays depicted in the Draft EIR do not reflect observable congestion at key intersections. Please refer to response to comment 14-17.
- 104-5** The comment states that the Draft EIR should include a review of traffic study results used by the City of Larkspur and Caltrans. The traffic analysis was prepared in consultation with and using methodologies supported by the City of Larkspur and the City of San Rafael. Furthermore, the modeling methodology used is consistent with the requirements of the Marin County CMP. Please refer to response to comment 14-17.
- 104-6** The comment requests clarification of Tables 4.12-4, 4.12-12, and 4.12-5 of the Draft EIR, but the comment is not specific about what needs to be clarified so no further response can be provided.
- The comment states that clarification of Table 4.12-5 is required and asks how the trip rate per employee of 0.11 was determined. The comment also states that all tables should define units of measure for all factors. Please refer to response to comment 14-23.
- 104-7** The comment states that traffic volumes and percentages should be shown in Exhibit 4.12-11. The purpose of Exhibit 4.12-11 is to show the distribution percentages of project trips along study area roadways. Figure 14 of Appendix G shows the distribution of project trips by study area intersections for weekday and weekend peak-hour periods.
- 104-8** The comment recommends that the Draft EIR include exhibits similar to Exhibit 4.12-11 for construction traffic. Please refer to response to comment 14-15.
- 104-9** The comment states that timing for construction traffic associated with the project should be reviewed against the likely timing for construction traffic associated with the Richmond–San Rafael Bridge Seismic Retrofit Project, San Rafael Gap Closure Project, Larkspur’s widening of Sir Francis Drake Boulevard, and construction of a new interchange at Highway 101. Please refer to response to comment 14-14.

- 104-10** The comment states that the Draft EIR does not evaluate traffic impacts associated with construction activity. CDC disagrees. The project's construction impacts were evaluated in Impact 4.12-b (page 4.12-25). Additional information regarding construction impacts is also provided in response to comment 14-15.
- 104-11** The comment states that if a high percentage of trips are destined to Marin, Contra Costa, or Sonoma County gravel, asphalt, and concrete suppliers, the impacts of these trips should be determined. Please refer to responses to comments 10-16 and 14-15.
- 104-12** The comment states that the Draft EIR should include a traffic operations study for the traffic signal proposed for Main Street/I-580 eastbound on/off-ramps. Please refer to responses to comments 10-11 and 14-17.
- 104-13** The comment states that the Draft EIR should determine the maximum number of construction trips that would be allowed to avoid regional traffic congestion and recommends that the contractor provide mitigations to control construction trips to a prescribed level. Regarding construction trips, please refer to response to comment 14-15.

Letter 105

Friends of SMART

Walter Strakosch

November 4, 2004, Public Hearing

- 105-1** The comment provides introductory remarks and states that a future transportation hub at SQSP would be desirable. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 105-2** The comment asks if there are options other than construction of the project at SQSP. Regarding alternatives evaluated in the Draft EIR, please refer to Section 7.4 (“Alternatives”) and Master Response 1.
- 105-3** The comment states that the project site could be put to a higher and better use, including residential, commercial, and transportation. The comment states that there are other locations between Oakland and Sacramento to locate the prison, which could eliminate objections about visual and wastewater impacts. Regarding alternative locations for the project, please refer to Master Response 1.
- 105-4** The comment provides cost information from an article in the Marin Independent Journal. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 105-5** The comment states that most prison employees live outside Marin County and states that the number of employees living outside Marin County would increase with implementation of the project. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 105-6** The comment states that the State should identify how much money could be saved to relocate and rebuild SQSP at another location and suggests changing legislation mandating housing of condemned inmates at SQSP. Regarding alternative locations for the project, please refer to Master Response 1. Regarding changing legislation, please refer to response to comment 9-15. Regarding determination of cost, CEQA does not require an EIR to evaluate the project’s economic impacts.
- 105-7** The comment states that the project site is identified in the Marin County Vision Plan, which includes residential development on the water’s edge. Regarding consideration of the San Quentin Vision Plan, please refer to Master Response 1 and responses to comments 9-22 and 9-26.

Letter 106

Robert Lafore

November 4, 2004, Public Hearing

106-1 The comment states that the Draft EIR does not evaluate the view impacts of the project from the surrounding hillside areas and from 173 Summit Drive. Please refer to Master Response 2.

Letter 107

Joyce Bonifield

November 4, 2004, Public Hearing

- 107-1** The comment states that the Draft EIR is insufficient. The analysis presented in the Draft EIR fully complies with CEQA. Because the comment does not specify why the analysis is insufficient, no further response can be provided.
- 107-2** The comment states that there is bumper-to-bumper traffic along Sir Francis Drake Boulevard. This comment is acknowledged. Because no specific issues pertaining to the analysis are identified, no further response can be provided.
- 107-3** The comment states that lights associated with the project would affect endangered species that live in the wetlands. The comment appears to reference Corte Madera Marsh, although it is unclear on this point. Regarding impacts to Corte Madera Marsh, please refer to response to comment 9-42.
- 107-4** The comment states that the population of mice would triple because hawks would be electrocuted by the project's electric fence. The comment appears to presume that the project would result in substantial loss of hawks, which is not the case. The Draft EIR (page 4.3-12) acknowledges that operation of the proposed electrified fence would result in lethal electrocution of an undetermined number of animals, most of which would be birds. This impact was determined to be significant for the project and under cumulative conditions. A list of species considered at risk of electrocution is included in Appendix D of the Draft EIR. However, mitigation recommended for the project (Mitigation Measure 4.3-a), would reduce the project's electrified fence impacts to a less-than-significant level.
- 107-5** The comment states that there are no affordable places for prison staff to live so the prison staff is forced to commute. This comment is acknowledged. No further response is necessary as no issues related to the analysis were raised.
- 107-6** The comment states that the prison should be placed somewhere where a prison would result in fewer impacts than at San Quentin. Regarding alternative locations for the project, please refer to Master Response 1.

Letter 108

Linda Bundy

November 4, 2004, Public Hearing

- 108-1** The comment states that the Draft EIR does not address future plans for the condemned inmates once the CIC capacity has been reached. The Draft EIR analysis fully complies with the requirements of CEQA. Please refer to response to comment 22-4.
- 108-2** The comment suggests that the Draft EIR did not consider alternatives that evaluated a reduced size in combination with local facilities. Please refer to Master Response 1 and responses to comments 9-19, 9-21, and 9-22.
- 108-3** The comment states that the Draft EIR does not consider any unique designs to reduce the project's visual impacts. Regarding alternative prison designs, please refer to Master Response 2.
- 108-4** The comment suggests reusing Dairy Hill for a berm that would screen the site from view. Please refer to Master Response 2 regarding feasible alternative mitigation options.
- 108-5** The comment provides suggestions for alternative uses of the existing SQSP facilities. This comment is acknowledged. Please refer to Master Response 1 for a discussion of alternatives considered in the Draft EIR.
- 108-6** The comment suggests housing inmates at other Level 4 prisons. Please refer to Master Response 1 and response to comment 9-19.
- 108-7** The comment states that it would be good to provide a medical facility. This comment is acknowledged. A fully licensed Correctional Treatment Center is proposed as part of the project. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 108-8** The comment states that existing housing should be maintained. This comment is acknowledged. Under the stacked design option, existing housing would be maintained at the site.
- 108-9** The comment suggests that relocation of SQSP would allow the site to be used for a ferry terminal and housing. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.

Letter 109

Kay Keohane

November 4, 2004, Public Hearing

- 109-1** The comment states that the EIR stated that the project would result in significant, substantial, and adverse change to the physical environment. The comment is correct; for some resource areas (e.g., visual, cultural resources, cumulative air quality) the project would result in significant and unavoidable impacts (even with mitigation). Please refer to Table 1-1 and Chapter 4.0 of the Draft EIR for a discussion of these impacts.
- 109-2** The comment states that a project like this would not be approved by the planning commission. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 109-3** The comment states that there are no trees and no screening or light mitigation. Regarding visual mitigation, please refer to Master Response 2.
- 109-4** The comment states that the Draft EIR does not address the existing facility and that costs would be greater than \$220 million. Construction of the project was approved by the State Legislature with a budget authorization of \$220 million. This budget only covers the costs associated with the proposed CIC, as described in the project description. SQSP has undergone substantial rehabilitation, primarily for seismic upgrades, in the past several years.
- 109-5** The comment suggests that Main Street will need to be refurbished. The Draft EIR did not identify any significant adverse impacts to Main Street.
- 109-6** The comment expresses support for reuse of the site. Please refer to Master Response 1. Because no issues related to the environmental analysis are raised, no further response can be provided.

Letter 110

Marie Hoch

November 4, 2004, Public Hearing

110-1 The comment suggests that CDC paint or otherwise improve the existing SQSP buildings. This comment is acknowledged.

110-2 The comment states that the Draft EIR's analysis of the single-level versus stacked design option is flawed because of differences in building color between the two options presented in the photosimulations. The comment also expresses preference for the single-level design option. The photosimulations presented in the Draft EIR are intended to visually present the differences in design option in terms of building placement, massing, and footprint. Although slight coloration differences may be apparent in the photosimulations, these are minor and insubstantial variances and are not intended to imply that CDC is proposing alternate building colors based on the design option. Final design and color of the buildings, considering mitigation recommended in the Draft EIR and described in Master Response 2, will be determined in subsequent design phases of the project.

Regarding the attractiveness of the single-level design option, CDC prepared photosimulations to best represent the design and layout of the proposed facilities, based on standard design protocols used for other maximum-security prisons throughout the state. The building design of the stacked design option is the same as the design of the single-level design option but with the equivalent of two buildings stacked on top of one another resulting in a smaller site footprint. Because of the larger footprint associated with the single-level design option, existing trees and homes along Sir Francis Drake Boulevard would need to be removed and would not serve as a visual screen.

Regarding the comment's preference for the single-level design option, this comment is acknowledged.

110-3 The comment states that CDC can and should make the prison more attractive for the people of Marin. With regard to visual mitigation for the project, please refer to Master Response 2.

Letter 111

Don Fredericks

November 4, 2004, Public Hearing

- 111-1** The comment states that Marin residents repeatedly reject mass transit through the ballot process and do not have plans in place for light rail. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 111-2** The comment states that the aesthetics of the SQSP buildings are no different than those of a big box retailer. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 111-3** The comment states SQSP is 150 years old and it is an historical landmark. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 111-4** The comment states that if SQSP were closed the land would fall into the possession of the State Parks. If SQSP were surplus and sold, CDC would be required in accordance with existing law to offer up the property for sale or lease (at prevailing market value) to State agencies first, followed by local agencies and private citizens.
- 111-5** The comment states that SQSP was built before any surrounding houses were built. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 111-6** The comment states that lighting at SQSP and the use of flat building walls is for security purposes. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 111-7** The comment states that there are other places available for rail transit. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 111-8** The comment states that the CDC has tried moving SQSP to other counties and other facilities. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.

Letter 112

Michelle Foy

November 4, 2004, Public Hearing

- 112-1** The comment states opposition to all prison projects and expansion of SQSP. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 112-2** The comment asks what California will be like in 50 years and whether California will have 20 new prisons. This comment is not relevant to the analysis presented in the Draft EIR. Because no issues on the analysis were raised, no further response can be provided.
- 112-3** The comment states that the prison system needs reforms, and tax dollars are not well spent on new prisons. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.

Letter 113

Robert Moy

November 4, 2004, Public Hearing

113-1 The comment asks whether the visual analysis considered views from the Greenbrae Boardwalk community. Please refer to Master Response 2.

Letter 114

Jean Arnold

November 4, 2004, Public Hearing

- 114-1** The comment expresses support for the project. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 114-2** The comment states that the Draft EIR does not discuss potential soapstone at the site. Serpentine (also referred to as soapstone) is a rock formation that contains naturally occurring asbestos. The project site (primarily Dairy Hill and the hillside areas of the site) is made up of Franciscan mélange bedrock, which is a tectonically mixed assemblage of sandstone, shale, conglomerate, chert, greenstone, blue shist, amphibolite, and serpentine. The project would result in earth-moving activities, including removal of Dairy Hill, and spreading of these soils throughout the site. These activities would require adherence to air quality mitigation, specifically the prevention of airborne dust generation through watering of active construction areas. With regard to naturally occurring asbestos, it is only a concern when the material becomes friable and is released to the atmosphere. Because the project includes dust-suppression measures in accordance with regulatory requirements of the Bay Area Air Quality Management District, impacts associated with on-site rock material would be minimal and less than significant.
- 114-3** The comment states that if a transit village is developed at the site, there would be 10,000 more cars on the road. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 114-4** The comment states that the traffic analysis is flawed and disagrees with the mitigation requirement for the signalization of the Main Street/I-580 eastbound on/off-ramp intersection. Regarding traffic mitigation, mitigation was recommended for the Main Street/I-580 eastbound on/off-ramp intersection because the project would cause this intersection to operate unacceptably and exceed established thresholds during the midday peak hour. The project would increase the average delay at this intersection by 20 seconds or more, and operations would degrade to LOS E. See Section 4.12 of the Draft EIR. Please refer to response to comment 10-11.
- 114-5** The comment states that the traffic studies of intersection operations could be inaccurate if the analysis is based on temporary construction impacts associated with the bridge project. The methodology used to evaluate the project's traffic impacts is described on page 4.12-11 of the Draft EIR and is based on measured traffic counts (March 2004) and information provided by local jurisdictions. With regard to cumulative construction impacts, please refer to response to comment 14-15.
- 114-6** The comment states that the Draft EIR should consider traffic on Highway 101 from both Sir Francis Drake Boulevard and the I-580 interchange. Please refer to response to comment 10-16.
- 114-7** The comment requests the project honor Marin residents requests for mitigating impacts from lighting, noise, and aesthetics. The comment suggests measures to improve aesthetics, including painting walls and faux effects. Please refer to Master Response 2.

Letter 115

James Holmes

November 4, 2004, Public Hearing

- 115-1** The comment expresses support for the project. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 115-2** The comment states that the Draft EIR addressed issues raised in comments provided during the scoping meeting. This comment is acknowledged. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 115-3** The comment states that CDC should consider comments made by the City of Larkspur. Please refer to comment letter 89 and the responses thereto. No further response is necessary as no specific issues related to the environmental impacts of the project were raised.
- 115-4** The comment states that the Draft EIR should provide a more definitive comparison of the single-level versus stacked design option. The comment also requests additional creativity in the building designs. Regarding the visual comparison, the comment does not specify why the analysis in the Draft EIR is inadequate, so no further response can be provided. Regarding building design, please refer to Master Response 2.

Letter 116

Michael Hooper

November 4, 2004, Public Hearing

- 116-1** The comment states that a development project proposed at 2000 Larkspur Landing Circle was not discussed. It is presumed the comment is referring to the cumulative projects listed in Chapter 5.0, although the comment is unclear on this point. The project referenced in the comment is listed as number 23, Sanitary District Property, in Table 5-1 and Exhibit 5-1 of the Draft EIR. This project was considered in the cumulative impacts analysis.
- 116-2** The comment states that there are other locations that should be looked at for this project. Please refer to Master Response 1 and responses to comment 9-19 and 9-20 for a discussion of alternative project locations.
- 116-3** The comment expresses dissatisfaction with the proposed architecture of the facility and recommends placing larger buildings behind smaller buildings to increase aesthetic quality. Please refer to Master Response 2 for a discussion of feasible visual mitigation.
- 116-4** The comment suggests using Dairy Hill to build a berm to provide visual screening along the bay front. Please refer to Master Response 2 for a discussion of feasible visual mitigation.
- 116-5** The comment states that the traffic report in the Draft EIR is inconsistent with the City of Larkspur traffic report. The comment did not cite any specific cases of inaccuracies, so no further response can be provided. The traffic analysis was prepared under consultation with the City of Larkspur and the City of San Rafael and used methodology consistent with the Marin County Congestion Management Program.
- 116-6** The comment expresses concern regarding traffic and west gate. It is unclear what is intended by this comment so no further response can be provided. Please refer to response to comment 89-5

Letter 117

David Kunhardt

November 4, 2004, Public Hearing

- 117-1** The comment states that every agency has the responsibility to consider the long-term environmental and economic future of the surrounding area and references the provisions of Sections 21000(g) and 21001(g) of CEQA. The intent of Section 21000(g) of CEQA is to ensure that agencies are regulating activities that could result in environmental damage and that agencies balance requirements for preventing damage against meeting needs such as housing and jobs. The intent of Section 21001(g) of CEQA is to require agencies to consider all factors (e.g. economic, technical, long-term benefits, costs, and alternative) when considering a project. The referenced statutes address agency responsibilities regarding consideration of projects and do not prescribe the requirements of an EIR. The content requirements of an EIR are outlined in Article 9 of the State CEQA Guidelines. Regarding consideration of the environmental and economic future of the surrounding area, this is not a requirement of CEQA or the State CEQA Guidelines. CEQA only requires an evaluation of the project's physical environmental impacts and those economic impacts that result in direct physical effects. Although the economic future of the surrounding area is important, it is not relevant to the analysis presented in the Draft EIR. Please refer to Chapter 4 of the Draft EIR for a discussion of the project's environmental impacts.
- 117-2** The comment states that the Draft EIR should address the project's consistency with adopted plans of neighboring jurisdictions, although the comment is somewhat unclear. Regarding discussion of applicable plans, please refer to response to comment 9-6.
- 117-3** The comment states that the San Quentin Vision Plan incorporates wonderful ideas and concepts to take advantage of the project site. This comment is acknowledged. Regarding consideration of the San Quentin Vision Plan, please refer to Master Response 1 and responses to comments 9-22 and 9-26.
- 117-4** The comment states that the alternatives analysis is flawed because it does not consider the value of the land. The economic impacts and opportunity costs associated with a project are not relevant to the environmental analysis. Please refer to response to comment 11-3.
- 117-5** The comment states that the property incorporates a gateway aspect and is the most prominent front door entry from the west. This comment is acknowledged. Because no specific issues related to the analysis are identified, no further response can be provided.
- 117-6** The comment states that the project would be a roadblock to alternative uses of the site. This comment is acknowledged. Regarding alternative uses of the site, please refer to Master Response 1. Because no specific issues related to the analysis are identified, no further response can be provided.
- 117-7** The comment states that the proposed buildings would be massive and would destroy the surrounding visual values. Please refer to Master Response 2.
- 117-8** The comment suggests that construction of the project would lock in the site for the next 200 years. Regarding project costs, the project is authorized by the State Legislature in the amount of \$220 million. No improvements to existing SQSP facilities are proposed.

Letter 118

Michael Marquez

November 4, 2004, Public Hearing

- 118-1** The comment supports previous comments regarding aesthetics, energy, and water use. The comment also asks how a project decision would be made in the balance of positive and negative comments. Regarding support of previous comments, this comment is acknowledged. Regarding project decision, please refer to response to comment 103-5. No further response is necessary as no issues related to the environmental impacts of the project were raised.
- 118-2** The comment expresses concern with the discharge of stormwater runoff from the project site. Section 4.8, "Hydrology and Water Quality," evaluates stormwater generation and water quality impacts and recommends mitigation for the project's significant impacts. Please also refer to response to comment 9-54. Because no specific issues regarding the analysis were raised, no further response can be provided.
- 118-3** The comment expresses concern regarding the availability of water supplies. This comment is acknowledged. Because no specific issues regarding the analysis were raised, no further response can be provided.
- 118-4** The comment asks whether a facility for rehabilitation, counseling, education, or a church could be provided. CDC intends to continue all existing inmate services and programs at SQSP including religious services, enhanced outpatient programs, and educational programs.

Letter 119

Ms. Kettunen-Zegart

November 4, 2004, Public Hearing

- 119-1** The comment states that it would have been better for CDC to have worked with Marin County to implement the San Quentin Vision Plan. This comment is acknowledged. Please refer to Master Response 1 and responses to comments 9-22 and 9-26 regarding consideration of the San Quentin Vision Plan.
- 119-2** The comment states that there are other communities that need job creation opportunities provided by the project. Please refer to Master Response 1 regarding alternative site locations.